

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMAINE GAITOR,

Plaintiff,

v.

CITY OF BOSTON, LEROY PEEPLES,
TALIA WRIGHT-RIVERA, and
WASCAR CASTILLO,

Defendants.

Civil Action No. 21-CV-12079-AK

SEAN D. PITTS,

Plaintiff,

v.

CITY OF BOSTON, LEROY PEEPLES,
TALIA WRIGHT-RIVERA, and
WASCAR CASTILLO,

Defendants.

Related Action
Civil Action No. 21-CV-12091-AK

STEPHEN D. POWELL,

Plaintiff,

v.

CITY OF BOSTON, LEROY PEEPLES,
TALIA WRIGHT-RIVERA, and
WASCAR CASTILLO,

Defendants.

Related Action
Civil Action No. 21-CV-12093-AK

 UNDINI SANZ,

Plaintiff,

v.

CITY OF BOSTON, LEROY PEEPLES,

TALIA WRIGHT-RIVERA, and

WASCAR CASTILLO,

Defendants.

Related Action

Civil Action No. 22-CV-10042-AK

MEMORANDUM AND ORDER AS TO DEFENDANTS' MOTION TO STRIKE

ANGEL KELLEY, D.J.

Defendants' Motion to Strike [Dkt. 254] is **GRANTED IN PART** and **DENIED IN PART**. Plaintiff Undini Sanz and the other consolidated Plaintiffs have agreed to withdraw all allegations that Leroy Peeples disclosed to Sanz's constituents that she lived in rival gang territory. As laid out in Plaintiffs' Partial Opposition [Dkt. 257] and agreed to by the Defendants at the Motion Hearing on June 11, 2025, Defendants' original proposal captures additional allegations regarding general safety concerns, which Sanz claims were not addressed. This Court **ADOPTS** Plaintiffs' suggested limitations, subject to minor changes for readability, as shown in Appendix A of this Order.

SO ORDERED.

Dated: September 15, 2025

 /s/ Angel Kelley

Hon. Angel Kelley

United States District Judge

Appendix A

Page 8 of Plaintiff Undini Sanz's "Memorandum of Law in Support of Opposition to Defendants' Motions for Summary Judgment" [Dkt. No. 241]:

- ~~Peebles disclosed to her constituents some time while she was out on leave until February 2021 that she lived in rival gang territory. Dep. Christian at 101. Aff. Sanz, ¶ 15.~~ Management ~~then~~ refused to reassign her to a safe area. Aff. Sanz at 25 and 26. This went on for several months. Id. at ¶ 17. Powell would accompany her when he could in an effort to keep her safe, as management was not. Id. at ¶ 26.

Paragraph 48 of Plaintiffs' Response to Defendants' Statement of Undisputed Facts [Dkt. No. 242]:

- She went out again in July 2021 ~~after she discovered that Peebles had told some of her constituents that she lived in rival gang territory.~~ Aff. Sanz para 37.

Paragraphs 117 through 122, 223, and 224 of Plaintiffs' Statement of Disputed Facts [Dkt. No. 243]:

- 117. After returning from an FMLA leave in February 2021, ~~Sanz learned that Peebles had been telling her constituents in the Heath Street area that she lived in rival gang territory, Humboldt/Homestead. Dep. Christian at 101. Aff. Sanz, ¶ 34.~~
- ~~118.~~ a constituent told Sanz that ~~as a result~~ her life could be in danger if she was in the area. Aff. Sanz, at ¶ 34.
- 119. When Sanz complained to management about this, they did nothing, even though she requested to be reassigned to a different community. Aff. Sanz at ¶ 35-36.
- 120. This went on for several months as Sanz was forced repeatedly to go back to this community to serve these constituents. Id. at ¶ 17. Powell would accompany her when he could in an attempt to keep her safe. Aff. Sanz. at 36.
- 121. Finally Sanz could not take it anymore and applied for FMLA out of fear for her safety. Castillo, the HR Director, refused to assist her in doing so, or to even explain the requirements. Aff. Sanz at ¶ 38.
- 122. Sanz remains afraid for herself and her son and fears either of them leaving her home. Id. Aff. Sanz at ¶ 39.
- 223. When Sanz went out on FMLA leave in July 2021 ~~as a result of Peebles' disclosure to her constituents that she lived in rival gang territory,~~ see facts, infra at ¶¶ 63-66, she began to search for a new job.
- 224. There was nothing that was being done regarding ~~Leroy's disclosure or~~ her reassignment ~~thereafter~~ and she felt that she had to start looking for a new job. Dep. Sanz. at 143.

Paragraph 34 through 37 of the Affidavit of Undini Sanz [Dkt. No. 249]:

- 34. After I returned from FMLA in February 2021, ~~I learned that Leroy had been speaking with community members of the Heath Street area. I learned that he had told them that I lived in a rival gang territory.~~ one of the community members then told me that my life could be in danger if I was found in the area.
- 35. I expressed my concern about this to management immediately and asked Wright-Rivera that I be reassigned to a new area, but she didn't respond to my requests.
- 36. This went on for months until July, and I still had to serve these constituents. Another OEC, Stephen Powell, came with me when he could, to try to keep me safe.
- 37. Finally I could not take the stress anymore of living in fear working with these constituents and I had to go out on leave. I applied for FMLA in July 2021.